

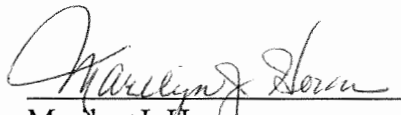
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>THOMAS E. PRESTON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Civil No. 16-1799</b>
	)	
<b>FIDELITY BROKERAGE SERVICES,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER ON DEFENDANT'S MOTION CHALLENGING EXPERT**

AND NOW, this 7th day of February, 2019, after review of the pleadings and having heard oral argument, it is hereby ORDERED that Defendant's Motion in Limine to Exclude the Report and Testimony of Attorney Jonathan Sack (ECF No. 57) is DENIED in part, and GRANTED in part.

The Court finds that Plaintiff's expert is qualified, but opinions based on common sense and plain language, opinions expressing an advocate's viewpoint, and opinions invading the province of the jury, will not be permitted. Otherwise, Plaintiff's expert's opinions will be permitted, subject to well-founded objections at trial.

  
Marilyn J. Horan  
United States District Judge